



South Carolina Office of Attorney General

Fiscal Year 2005-2006 Agency Accountability Report

## **SECTION I: Executive Summary**

### **1. Mission and Values**

**Mission:** The Attorney General, through his Office, fulfills a multi-purpose mission on behalf of the State and its citizens. As chief prosecutor, he renders the following services: He (1) oversees the activities of the State Grand Jury, including the prosecution of multi-jurisdictional drug offenders, multi-county pornography, public corruption, election fraud, computer crime violations, terrorism, security fraud, and environmental crimes; 2) prosecutes all cases of insurance fraud; (3) investigates and prosecutes cases of Medicaid fraud by both providers and recipients; (4) prosecutes cases of patient abuse; (5) operates a program that trains pro bono private attorneys to prosecute criminal domestic violence cases; 6) through two federal grants, prosecutes in State courts defendants accused of criminal domestic violence in both urban and rural counties; (7) prosecutes cases of Internet crimes against children, including those involving sexual exploitation; (8) investigates and prosecutes those accused of involvement in the illegal sport of animal fighting and related crimes; (9) represents the State of South Carolina in criminal cases when defendants file for Post Conviction Relief and when they appeal their convictions; (10) assists the victims of crimes in claiming the benefits guaranteed under the State's Victims Bill of Rights; (11) sponsors a Youth Mentor Program designed to prevent juvenile crime and rescue at-risk youngsters before they commit violent offenses; and (12) under the Attorney General's authority, the state prosecutes violators of State tax laws.

The Attorney General also has important responsibilities in the area of civil law. When the State is a party to a law suit, either as plaintiff or defendant, attorneys in this division may represent and advise the State, its agencies, and its officials in civil lawsuits. The Office represents the State in civil proceedings against dangerous sex offenders for commitment under South Carolina's Sexually Violent Predators statute. Staff members also investigate and prosecute grievance complaints filed against attorneys and judges. The Attorney General serves as the S.C. Securities Commissioner, provides information on securities laws and practices, and investigates allegations of fraud or other violations of securities laws and takes appropriate enforcement action; and, through his staff, handles the registration of all persons engaged in the sale of securities in the State of South Carolina.

The Office maintains official liaison with the General Assembly and researches, writes, and issues opinions when requested by certain state and local officials.

**Values:** In addition to encouraging those values prized by society at large -- honesty, respect for others, compassion, responsibility -- the Attorney General's Office has a special commitment to maintain the highest standards of professional conduct demanded by the legal community. The primary activities of the Office are prosecution and litigation, and its staff is composed largely of attorneys and their support personnel. Therefore, the values that set the Attorney General's Office apart from other State agencies pertain to the practice of law. These include: respect for the legal system, an impartial administration of justice, an adherence to prescribed timetables, and diligence in preparation.

## ***2. Major Achievements from Past Year***

The major achievements of the Attorney General's Office during FY 2005-2006 include the following, a quantitative summary of which can be found in Section III, Category 7: (1) The U.S. Department of Health and Human Services named the S.C. Attorney General's Medicaid Fraud Control Section as the #1 Unit of its kind in the country, citing its 34 convictions and its \$14 million recovered - \$14.70 for every dollar spent on the Section. (2) The Medicaid Recipient Fraud Section more than doubled its investigations and prosecutions, from 245 in FY '05 to 499 in FY '06. (3) As the result of new authority vested in the State Grand Jury, the prosecution of Environmental Crimes increased in one year from 3 to 38. (4) The Office continued its investigation and prosecution of the largest investor-fraud case in the state's history. (5) The Office applied for and received a \$900,000 grant from the U.S. Department of Justice to investigate and prosecute Criminal Domestic Violence cases in seven rural counties. (6) The number of actions against sexually violent predators increased from 160 in FY '05 to 262 in FY '06. (7) The Office collected \$19,984,822 in fees, fines, and general revenue. (8) As a consequence of training law enforcement officers to investigate internet crimes against children, the Internet Crimes Against Children Section has increased its investigations and convictions exponentially since FY '05, with 28 cases opened in '06, as compared with 5 in '05, and 6 convictions, as opposed to 1 in '05. (9) The investigations and prosecutions of insurance fraud increased from 990 in FY '05 to 1,153 in FY '06. (10) The Insurance Fraud Section won 120 convictions and collected \$365,792.65 in fines in FY 2005-2006, as opposed to 44 convictions and \$192,007.11 in fines in FY 2004-2005. (11) A kingpin in the illegal sport of dog-fighting was tried, convicted, and sentenced to 40 years. And (12) the number of cases and actions taken by the entire Attorney General's Office totaled 18,748 in '06, as opposed to 17,143 in '05.

### **3. Key Strategic Goals for the Present and Future Years**

Some of the key strategic goals the Attorney General established last year for FY 2004-2005 were achieved during the fiscal year, while others are still pending. Those ongoing goals include: the further expansion of our program to prosecute child exploitation on the Internet and the further expansion of our Pro Bono Program for the prosecution of criminal domestic violence offenders.

### **4. Opportunities and Barriers**

**Opportunities:** The goals listed above represent opportunities for the Office to render greater service to the people of South Carolina.

The addition of attorneys and other staff members to the State Grand Jury should enable the Office to investigate and prosecute more effectively securities violations, environmental crimes, Internet crimes against children, and multi-jurisdictional drug offenses. The Attorney General believes that the recent addition of a Unit to investigate and prosecute the inhumane practice of dog fighting will provide the Office with an opportunity to help eliminate this brutal sport.

**Barriers:** The only barrier to opportunities is the lack of resources necessary to implement our programs and ideas.

**How the accountability report is used to improve organizational performance.**

In preparing this year's Accountability Report, we compared our stated goals in 2004-2005 with our actual achievements in 2005-2006 and were pleased to note that we had made progress on many fronts. (see below)

## **SECTION II: Organizational Profile**

**1. Your Main Products and Services and the primary methods by which these are delivered:** The Attorney General serves customers in many ways, including the following: (1) He represents them in civil actions, suing on behalf of the State as well as representing the State when it becomes the defendant in a lawsuit; (2) he is the State's chief prosecutor and prosecutes accused offenders in criminal cases where the State has jurisdiction; (3) when requested to do so by state and local officials, he writes and issues opinions on legal and constitutional questions; (4) he drafts legislation designed to strengthen the criminal justice system and enhance the safety of South Carolina's citizens; and (5) he serves as South Carolina's Securities Commissioner and is responsible for the protection of the

state's investors against securities fraud and unfair trade practices in the stock and bond markets. (See Appendix I)

**2. Your Key Customers Segments and Their Requirements/**

**Expectations:** The primary customers of the Office are: the citizens of South Carolina; agencies of the State government; members of the S.C. General Assembly, local and county officials; law enforcement and judiciary officers; and the local, state, and national press. Key customers expect the Office to conduct the legal business of the State and to render other services defined by the legislature.

**3. Your Key Stakeholders:** The key stakeholders are the people of South Carolina, the General Assembly, and the state and federal court systems.

**4. Your Key Suppliers and Partners:** The five key suppliers of the Office are: The South Carolina Budget and Control Board, State Fleet Management Division, which supplies all monthly and daily leased vehicles and related maintenance (since the Office owns no vehicles); Thomson West legal publishers, the source of numerous legal books and a subscription to WestLaw, an online database; Xerox, the source for copiers on state contract and related supplies; The South Carolina Budget and Control Board, Chief Information Office, which provides telephone service; and Recruiting Solutions, a firm on state contracts, which provides temporary staff as needed. When deemed advisable, the Office also partners with other State and Federal law enforcement agencies and with private organizations whose purview is law enforcement or the victims of crimes.

**5. Your Operation Locations:** The Attorney General's offices occupy the three top floors of the Rembert C. Dennis Building and Room G-8, John C. Calhoun Office Building, both in Columbia, South Carolina.

**6. Number of Employees You Have:** At the end of June 2006, the Attorney General's Office had 145 full-time classified employees, 26 part-time, and seven part-time law clerks.

**7. The Regulatory Environment:** The Office of the Attorney General operates under the Constitution and statutes of the State of South Carolina, as well as under the U.S. Constitution and relevant federal legislation.

**8. Your Key Strategic Challenges:** The key strategic challenges the Office faces involve the Attorney General's goals of expanding the State-directed prosecution of criminal domestic violence into all 46 counties, extending the influence of the Internet Crimes Against Children Unit, and instituting a program of protection for the elderly.

**9. Your Performance Improvement Systems:** The Office practices self-evaluation at regularly scheduled meetings of Division and Unit directors chaired by the Attorney General. Directors in turn hold meetings with their staff members. The purpose of these meetings is the improvement of performance at every level. In addition, the Office monitors performance through several databases which track cases and other work product.

**10. Your Organizational Structure:** The Attorney General's Office operates under a hybrid structure that consists of Divisions, Sections, Sub-Sections, and Programs. Though the chain of command is clearly delineated, divisions and subdivisions are based on actual operations rather than on any abstract model. (See attached chart)

**11. Expenditures/Appropriations Chart:** (See attached chart)

**12. Major Programs Areas Chart: See attached:** Major programs include the following:

THE SECURITIES DIVISION -- The Attorney General serves as the state's Securities Commissioner, and the Securities Division assists the Attorney General in carrying out his duties in this area. These include providing information on securities laws and practices; investigating allegations of fraud or other violations of securities laws; prosecuting offenders; and the registration of brokers, dealers, and securities.

THE CIVIL DIVISION -- As the state's Chief Legal Officer, the Attorney General's Office has important responsibilities in the area of civil law as well as in the area of criminal law. When the State is a party to a law suit, either as plaintiff or defendant, attorneys in this division may represent and advise the State, its agencies, and its officials in civil lawsuits. The Civil Division represents the State in such areas as constitutional law, extradition, charitable trusts, election law, reapportionment, contracts, unfair trade practices, anti-trust suits, complaints against lawyers and judges, and foreclosures where the State has an interest.

THE CRIMINAL DIVISION - As the state's Chief Prosecutor, the Attorney General's Office is charged with representing the interests of the State in some specific areas of criminal prosecution. The Criminal Division is divided into seven sections, three sub-sections, and three programs. The sections are: the State Grand Jury, Capital and Collateral Litigation Section, the Medicaid Fraud Control Section, the Criminal Appeals Section, the Post-Conviction Relief Section, the Internet Crimes Against Children Section, and the Prosecution/Insurance Fraud Section. The sub-sections

**The Honorable  
Henry McMaster**  
Attorney General

**Gene McCaskill**  
Senior Executive Asst  
Amy Colquitt, Dir. Constituent Svc  
Sonya Carree, Admin. Supp, T

**John McIntosh**  
Chief Deputy AG  
Deborah Staberg, Admin Asst.  
Jack Bryan, Purchasing Asst., C

**Trey Walker**  
Chief Executive Asst  
|  
**Public Relations**  
Mark Plowden, Dpty. Comm Director  
Brian Haskins, Public Relations Clerk, T

**Garden Frampton**  
Exec Asst

**Securities Division**

Steve Lynch, Dep. AG

Thresechia Navarro, Admin Asst

Roland Corning, Asst Dep  
Scott Hullstrand, AAG  
Tracy Meyers, AAG  
Eric Pantsari, Chf Sec Exam  
Robb McBurney, Enforcmnt Spec  
Jim Parks, Enforcement Spec.  
Tommy Windsor, Enforcmnt Spec  
Sara Austin, Auditor  
Sandra Matthews, Auditor  
Patricia Simmons, Paralegal  
Lisa Gray, Asst Registrar  
Lisa Lomas, Inv Adv Regr  
Teresa Lake, Sec Regr  
Bonnie Allen, Law Clerk, T  
John Monahan, Law Clerk, T  
Joshua Holford, Clerk, T  
Korin Knight, Clerk, T  
Tyler Stone, Clerk, T

**Civil Division**

**Gov Litigation**

Emory Smith, Asst Dep  
Parkin Hunter, AAG  
Cindi Mason, AAG  
David Spencer, AAG  
Annalisa Queen, Prog. Asst.  
Rita O'Neal, Leg Asst  
Peggy Self, Leg Asst

**Consumer Protection  
& Antitrust**

Sonny Jones, SAAG  
Jay Smith, Research Analyst

**Grievances**

Rob Bogan, Asst Dep  
Jay Evans, Spec Inv  
Thomas Holliday, Spec Inv  
Larry Huffstetler, Spec Inv  
Susan Ballington, Adm. Asst

**Sexual Violent Pred.**

(Deborah Shupe, Supv)  
Westy Clarkson, AAG  
Brandy Duncan, AAG  
Chandra Young, Leg Asst  
Allen Wham, Law Clerk, T

**Criminal Division**

**Capital & Collateral  
Litigation**

Don Zelenka, Chief  
Ed Salter, SAAG  
Melody Brown, AAG  
Derrick McFarland, AAG  
Creighton Waters, AAG  
Elaine Shirley, Paralegal  
Lonnie Brawley, Admin Asst  
Lillie Blume, Leg Asst  
Hazel Fox, Leg Asst

**Medicaid**

Bill Gambrell, Asst Dep  
Ken Moore, SAAG  
Scott Beck, AAG  
Teresa Shealy, AAG  
Jimmy Bagnall, Chief Inv  
Harry Bracy, Chief Inv  
David Addison, Spec Inv  
Kyle Michum, Spec Inv  
David Pointer, Spec Inv  
Teri Salane, Spec Inv  
Tom Quin, Auditor  
Frances Covar, Admin Asst  
Lee Teed, Leg Asst.  
Ava Thomas, Leg Asst  
George Beighley, Law Clerk, T

**Internet Crimes**

(Deborah Shupe, Supv)  
David Stumbo, AAG  
Chip Payne, Prog Coord

**Criminal Appeals**

Salley Elliott, Chief  
Harold Coombs, SAAG  
Mark Rapoport, SAAG  
Shawn Reeves, AAG  
Deborah Shupe, AAG  
Sabrina Todd, AAG  
Kathy Scott, Admin Asst  
Karen Farrell, Leg Asst

**PCR**

Robert Brown, AAG  
Preniss Counts, AAG  
Molly Crum, AAG  
Colleen Dixon, AAG  
Dean Grigg, AAG  
Karen Ratigan, AAG  
Julie Thames, AAG  
Carolyn Murphy, Paralegal  
Judy Carey, Legal Asst  
Brooke Gambill, Leg Asst  
Jean Indriago, Leg Asst  
Gianandrea Maoli, Leg Asst  
Tommy McGrath, Leg Asst  
Anne Mueller, Leg Asst  
Lisa Suber, Leg Asst  
Lance Boozer, Law Clerk, T  
Barrett Burley, Law Clerk, T  
TR Sanford, Law Clerk, T  
Jodie Moore, File Clerk, T  
Molly Flowers, Clerk, T

**State Grand Jury  
Pros/Ins Fraud**

Jennifer Evans, Chief

Jim Bogle, SAAG  
Childs Cantey, AAG  
Joel Deason, AAG  
John Dubose, AAG  
Stephen Kodman, AAG  
Elizabeth McMahon, AAG  
Robert McNair, AAG  
Allen Myrick, AAG  
Stephanie Nye, AAG  
Curtis Pauling, AAG  
Jason Peavy, AAG  
Susan Porter, AAG  
Dale Scott, AAG  
Tav Swarat, AAG  
Breon Walker, AAG  
Alice Douglas, Paralegal  
Kia Goins, Paralegal  
Tom Landess, Prog Coord  
Linda Rea, Secy Supr  
Miranda Young, Admin Asst  
Cothea Brailsford, Leg Asst  
Mary Conyers, Leg Asst  
Kaye Fusaro, Leg Asst  
Frances Griffin, Leg Asst  
Tess Padua, Legal Asst  
Deborah Robinson, Leg Asst  
Nancy Smith, Leg Asst  
Bo Haynes, Fin. Aud, C  
Travis Nagy, Law Clerk, T  
Lori King, Law Clerk, T

**Medicaid Recipient  
Fraud**

DeWayne Pearson, AAG  
Dan Meyer, Inv  
Michael Williams, Inv  
Miles Rawl, Inv  
Dottie Luyster, Admin Asst  
Sally Kolb, Law Clerk, T

**Violence Against  
Women**

Paula Magargle, AAG  
Alexandra Chase, Prog Coord  
Angela Brown, Tech Asst

**Rural Domestic Violence**

Fay Scott, AAG  
Elizabeth Smith, AAG  
Rutledge DuRant, AAG  
Emily Brady, Program Coord  
Carol Dubose, Legal Asst  
Bobbi Wofford, Law Clerk, T  
Kristina Montanaro, Clerk, T  
**Victim Services**  
Sandi Wofford, Dir  
Trisha Allen, V. Svcs Coun.  
Marie Higgins, V. Svcs Spec, T

**Youth Mentor  
Program**

Josh Lorick, Dir  
Sonia Masterson, Prg Coord, C  
Mariscia Cooper, Prg Coord, C  
James Smith, Prg Coord, C

**Administration  
Division**

Tammie Wilson, Dir  
Jean Clifton, Admin Asst  
Marian Dunlop, Recep

**Human Resources**

Brenda Reiser, HR Manager  
Wilma Goins, HR Spec

**Library**

Sue Husman, Librarian

**Support Services**

Tony Mack, Supp Svcs Asst  
James Allen, Admin Clerk

**Finance Division**

Thomas Osmer, Dir  
Joan Potts, Acct Supv  
Carmetta Morton, Accountant  
Sandi Chamberlain, Fin. Clk, T

**Information Technology**

Sandee Sprang, Dir  
Geri Evans, Comm Coord  
Paul Gowder, Webmaster  
John Loy, Systems Engineer  
Sherri Rabon, Data Coord  
Bonnie Baxley, IT Clerk  
**Records**  
Jay Johnson, Rec. Supv

**Clerk's Office**

Lisa Dunbar, Clerk of Court  
Arlene Posey, Admin Asst.  
John Steadman, Clerk, T

**Opinions**

Bob Cook,  
Special Counsel  
Charles Richardson, SAAG  
Cydney Milling, AAG  
Abby Nevitt, Admin Asst  
Derek Alexander, Law Clerk, T

Revised June 30, 2006

## Accountability Report Appropriations/Expenditures Chart

### Base Budget Expenditures and Appropriations

Major Budget Categories	FY 04-05 Actual Expenditures		FY 05-06 Actual Expenditures		FY 06-07 Appropriations Act	
	Total Funds	General Funds	Total Funds	General Funds	Total Funds	General Funds
Personal Service	\$ 5,979,096	\$ 4,044,708	\$ 6,862,700	\$ 4,870,967	\$ 7,549,480	\$ 5,188,347
Other Operating	\$ 2,564,107	\$ 524,434	\$ 2,575,054	\$ 331,308	\$ 3,253,491	\$ 359,308
Special Items						
Permanent Improvements						
Case Services						
Distributions to Subdivisions			\$ -		\$ 130,000	
Fringe Benefits	\$ 1,656,796	\$ 1,173,919	\$ 1,836,946	\$ 1,317,203	\$ 1,999,976	\$ 1,367,633
Non-recurring						
<b>Total</b>	\$ 10,199,999	\$ 5,743,061	\$ 11,274,700	\$ 6,519,478	\$ 12,932,947	\$ 6,915,288

### Other Expenditures

Sources of Funds	FY 04-05 Actual Expenditures	FY 05-06 Actual Expenditures
Supplemental Bills		
Capital Reserve Funds		
Bonds		



## Major Program Areas

Program Number and Title	Major Program Area Purpose (Brief)	FY 04-05 Budget Expenditures	FY 05-06 Budget Expenditures	Key Cross References for Financial Results*
I. State Litigation	The Attorney General is the State's Chief Prosecutor. The office directs supervises and prosecutes criminal cases on behalf of the State and conducts all direct and post conviction appeals on behalf of the State.	<b>State:</b> 3,316,628.88 <b>Federal:</b> 1,170,549.63 <b>Other:</b> 1,241,376.48 <b>Total:</b> 5,728,554.99 <b>% of Total Budget:</b> 51.54%	<b>State:</b> 3,890,765.52 <b>Federal:</b> 1,373,181.72 <b>Other:</b> 1,456,269.30 <b>Total:</b> 6,720,216.54 <b>% of Total Budget:</b> 54.70%	
I. State Litigation	The Civil Division of the Attorney General's Office is divided into the following sections: The Government Litigation Section, the Grievance Section, and the Sexually Violent Predator Section. The Civil Division seeks to provide accurate and timely legal advice which serves public policy through consultation and representation.	<b>State:</b> 914,866.37 <b>Federal:</b> <b>Other:</b> 457,366.79 <b>Total:</b> 1,372,233.16 <b>% of Total Budget:</b> 12.35%	<b>State:</b> 977,161.03 <b>Federal:</b> 0.00 <b>Other:</b> 488,509.60 <b>Total:</b> 1,465,670.63 <b>% of Total Budget:</b> 11.93%	
I. State Litigation	The Securities Division oversees the registration of all persons engaged in the sale of securities, investigates allegations of fraud or other violations of securities laws and takes appropriate enforcement action.	<b>State:</b> <b>Federal:</b> <b>Other:</b> 1,537,054.43 <b>Total:</b> 1,537,054.43 <b>% of Total Budget:</b> 13.83%	<b>State:</b> <b>Federal:</b> <b>Other:</b> 1,433,728.10 <b>Total:</b> 1,433,728.10 <b>% of Total Budget:</b> 11.67%	
I. State Litigation	The Administrative Division provides support and planning services. The Division is divided into 6 Sections -- Executive Office, Human Resources, Support Services, Finance, and Information Technology, and Constituent Services.	<b>State:</b> 1,334,383.51 <b>Federal:</b> <b>Other:</b> 803,685.73 <b>Total:</b> 2,138,069.24 <b>% of Total Budget:</b> 19.23%	<b>State:</b> 1,418,490.95 <b>Federal:</b> <b>Other:</b> 854,342.79 <b>Total:</b> 2,272,833.75 <b>% of Total Budget:</b> 18.50%	
I. State Litigation	The Opinions Section provides statutorily required formal legal advice to the Governor, General Assembly, and State Officers. As a policy, local government officers are also provided advice on issues of statewide applicability.	<b>State:</b> 339,748.97 <b>Federal:</b> <b>Other:</b> <b>Total:</b> 339,748.97 <b>% of Total Budget:</b> 3.06%	<b>State:</b> 393,138.81 <b>Federal:</b> <b>Other:</b> <b>Total:</b> 393,138.81 <b>% of Total Budget:</b> 3.20%	

**Below: List any programs not included above and show the remainder of expenditures by source of funds.**

<b>Remainder of Expenditures:</b>	<b>State:</b> <b>Federal:</b> <b>Other:</b> <b>Total:</b> <b>% of Total Budget:</b>	<b>State:</b> <b>Federal:</b> <b>Other:</b> <b>Total:</b> <b>% of Total Budget:</b>
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\* Key Cross-References are a link to the Category 7 - Business Results. These References provide a chart number that is included in the 7th section of this document.

are: The Violence Against Women Sub-Section, the Office of Victim Services, and the Pro Bono Domestic Violence Sub-Section. The programs are: The Rural Domestic Program, the Youth Mentor Program, and the South Carolina Meth Watch Program.

The State Grand Jury Clerk's Office -- This office serves the State Grand Jury as a clerk of court 's office serves a General Sessions court, maintaining all records relevant to the conduct of trials and legal matters under the jurisdiction of the State Grand Jury.

THE ADMINISTRATIVE DIVISION -- The Administrative Division provides support and planning services essential to the efficient operation of the Office. These services include: space planning and construction, resource allocation, drug testing, law library, procurement, coordination of security, visitor and telephone reception, and building services. The Division is divided into four Sections -- Human Resources, Library, Receptionists, and Support Services.

THE FINANCE DIVISION -- The Finance Division prepares the budget, receives and disburses funds, manages the cash flow of the Office, and prepares applications for grants. The staff of the Finance Division solicits grants to support programs administered by the Attorney General's Office. Such grants help defray the cost of general services that benefit the people of South Carolina.

INFORMATION TECHNOLOGY DIVISION -- The Information Technology Division serves a number of constituencies, including the people of South Carolina, law enforcement agencies, public officials, and the staff of the Attorney General's Office. The Division's services include the development and maintenance of the Attorney General's website; managing the agency's Intranet site, MYAG; posting the Office's online newsletter; providing each employee with a PC; maintaining all Office hardware, including: office computers, printers, scanners, fax machines, and other in-house technology; maintaining office software; providing instruction in the use of computers and the Intranet; and keeping the records for the entire Office.

STAKEHOLDER RELATIONS -- The Stakeholder Relations staff acts as a liaison between the Attorney General, the Office, and its various stakeholders, which include the citizens of South Carolina, members of the General Assembly and other elected officials, representatives of the media, state agencies, and officials from other states and the federal government. Staff members answer inquiries from the general public and render assistance. They also provide the media with information about the activities of the Attorney General and members of his staff.

THE OPINIONS DIVISION -- One of the more important functions of the Attorney General's Office is providing legal advice to the Governor, members of the General Assembly and other public officials. Often this advice is given in the form of a written opinion. Opinions dealing with matters of significance to South Carolinians statewide are reviewed and signed by the Attorney General, others by staff members.

### **SECTION III: Malcolm Baldrige Award Criteria**

#### **Category 1: Leadership**

##### **1. How do senior leaders set, deploy, and ensure two-way communication?**

*(a) Short and long term direction and organizational priorities?*

The Attorney General holds regularly scheduled meetings with his Chief Deputy and Division Directors to inform them of both his short- and long-term goals and to seek their advice on ways to achieve these goals. Division Directors then hold similar scheduled meetings with staff.

*(b) Performance expectations?*

Performance expectations are specified in the Office Manual and in the regular meetings. With these expectations in mind, senior leaders use the State Employment Performance Measurement System (EPMS) to evaluate employees on an annual basis.

*(c) Organizational values?*

Senior leaders transmit organizational values through staff meetings, e-mail messages, the intranet, the Office online newsletter, and informal conversations. Division Directors maintain an open-door policy and hold one-on-one meetings to discuss such matters. The values of the Office are best transmitted by example

*(d) Empowerment and Innovation*

These concepts are set, deployed and communicated through the same channels discussed above. In addition, senior leaders empower subordinates to articulate and promote Office goals.

*(e) Organizational and Employee Learning*

During an interview prior to hiring, the Chief Deputy outlines the goals of the Office and its work ethic. A newly hired staff member receives an orientation on the first day of employment. Then, under the direction of the Division Director, the staff member receives on-the-job-training as well as exposure to the values of the Office. For attorneys and law clerks, this orientation includes training in WestLaw and LawBase. Subsequently, all staff members are encouraged to pursue internal and external training.

*(f) Ethical Behavior?*

In addition to the channels already defined above, the Office has presented seminars and workshops on a variety of subjects, including a discussion of ethical questions. Junior staff members are encouraged to attend these offerings, usually taught by senior leaders. In addition, all attorneys must undergo two hours of ethics training annually.

**2. How do senior leaders establish and promote a focus on customers and other stakeholders?**

The Office of the Attorney General serves several constituencies (customers) -- the people of the state, who expect to be protected by fair administration of the law; victims, who demand justice for the crimes committed against them; the solicitors, whose hard-won victories are appealed by convicted offenders; and the law enforcement officers who bring offenders to the bar of justice. All of these customers need not be solicited. They come to the Attorney General's Office because they know it exists to serve them. However, through brochures, seminars, and PSAs, the Office reaches out to customers who may not know the various services offered by the Office.

The role of senior leaders in focusing on customers is to instill in staff members a sense of dedicated service. This is done through daily communication, formal and informal. Leaders also use Constituent Services as a means of gauging the quality of services rendered.

**3. How does the organization address the current and potential impact on the public of its products, programs, services, facilities, and operations, including associated risks?**

The most obvious tool is the Constituent Services unit, which processes all calls, correspondence, and e-mails referred to it by the Administrative Division.

The Stakeholder Relations Division sends out frequent press releases to media statewide, and Office staff members receive feedback from members of the media, who constantly

contact the Office, raising questions on behalf of the public.

Finally, the Office maintains its own Internet web-site, containing a wealth of information for the public and publishes an online newsletter.

**4. How do senior leaders maintain fiscal, legal, and regulatory accountability?**

The Attorney General holds a quarterly meeting with all managers, including the Director of the Finance Division and the Chief Deputy Attorney General. At these meetings, he reviews the current financial status of the Office and all other matters relevant to its well-being.

Between these formal meetings, the Attorney General is in daily contact with the Chief Deputy Attorney General, Senior Executive Assistant, and Chief Executive Assistant, all three of whom are constantly monitoring the operation of the Office. In these ways, the senior leaders maintain steady control of its legal, fiscal and regulatory aspects.

**5. What key performance measures are regularly reviewed by your senior leaders?**

Using LawBase, senior leaders monitor all cases undertaken by their Division -- paying particular attention to the ratio of cases-opened to cases-closed, amount of time between openings and closings, generation of reports, comparative analysis, feedback from the general public, and the outcomes of cases. Senior leaders also measure a unit's performance against that of units in other states and our own past performance.

**6. How do senior leaders use organizational performance review findings and employee feedback to improve their own leadership effectiveness and the effectiveness of management throughout the organization? How do their personal actions reflect a commitment to organizational values?**

Senior leaders, in reviewing the effectiveness of their employees through organizational review and employee feedback, are, at the same time, evaluating their own effectiveness. In devising strategies to improve the performance of their staff, they inevitably test their own leadership skills. The most effective senior leaders are likely to be self-critical, self-analyzing, and self-improving. It is difficult to measure the impact of such subjective self-criticism on the behavior of the senior leadership. However, senior leaders lead most effectively by reflecting the values of the Office in their promptness, their attention to detail, and their concern for others.

**7. How do senior leaders promote and personally participate in succession planning and the development of future organizational leaders?**

To develop future leadership within the organization, senior leaders continually evaluate staff members, through a formal rating system and through informal interaction. Scheduled staff meetings, routine monitoring of databases, yearly evaluations, and one-on-one relationships enable senior leaders to choose and encourage future leaders. Several current division directors began at lower levels.

**8. How does senior leadership create an environment for performance improvement, accomplishment of strategic objectives, and innovation?**

Such an environment is created in the frequent interaction between senior leaders and individual staff members, in regular staff meetings, in the informal get-togethers called by the Attorney General to which the entire staff is invited, and through the intranet and online newsletter.

**9. How does senior leadership actively support and strengthen the communities in which your organization operates? Include how senior leaders and employees contribute to improving these communities.**

The Office, under the direction of senior leaders, prepares brochures and sponsors special projects designed to serve community interests such as seminars on ethics, domestic violence, securities fraud, insurance fraud, and single-family parents. The website and newsletter, under the direction of senior leaders, provide a wealth of information for the public; and the Office always exceeds its United Way goal.

## Category 2: Strategic Planning

**What is your Strategic Planning process, including KEY participants, and how does it address:**

*(a) Your organization's strengths, weaknesses, opportunities and threats*

The Attorney General initiates the Strategic Planning process by looking at the Office to determine how it may improve its services.

For example, the current Attorney General -- keenly aware of excessive domestic violence in the state and likewise aware of the Office's already successful Violence Against Women program -- saw the opportunity to address the problem by providing pro bono private attorneys to prosecute offenders in magistrate courts, where police officers untrained in courtroom procedures and tactics often faced skilled defense attorneys. To remedy this problem, the Attorney General met with senior leaders in the Office, with law enforcement officials, with representatives of the South Carolina Bar, and with the Chief Justice of the S.C. Supreme Court, before formulating a strategic plan to recruit and train private attorneys as volunteer, pro bono prosecutors. Thus the resulting plan and its implementation were built on a current strength in the Office. Perceived weaknesses, whether of programs or personnel, are dealt with in planning sessions presided over by the Attorney General and attended by relevant senior leaders. In planning for the future, the Attorney General sometimes confers with key members of the legislature and with heads of other state agencies

*(b) Financial, regulatory, societal and other potential risks?*

Since the Attorney General's Office is not a private for-profit corporation, its financial risks are not the same as to those incurred in the business world. However, at the end of FY 2003-2004, the Office was confronted with a mandate to cut expenditures to the bone. The possibility of such cuts constitutes the nearest thing in government to financial risk.

When the Office received this mandate, it initiated a series of meetings between and among managers at every level. During these meetings, managers identified areas for potential reductions, including the elimination of some staff positions. The managers -- the Chief Deputy, the Financial Director, Division Directors, Section and Unit heads -- then took these tentative cuts to the relevant staff and asked for input.

After cuts were approved and implemented, the Finance Section and all managers continued their projecting, monitoring, and comparing (with previous years) to ensure

that the Office remained within the reduced budget. As a consequence of this process, mid-course corrections were made - and without terminating or furloughing a single staff member.

*(c) Shifts in technology or the regulatory environment*

The Information Technology Division of the Office is constantly analyzing technical innovations with an eye toward adapting them to Office use. Indeed, the Office improves and modifies our capabilities constantly during almost every fiscal year. For example, with the Office's in-house law library running out of space to store law reviews and other important publications, the Attorney General, Chief Deputy, the Business Manager, and the Director of the Information Technology Division, looked at new technologies available and determined that it was more practical to switch to online publications than to continue to stock the library with hard-copy editions. This plan was subsequently implemented. Indeed, it would be difficult to find a government agency more motivated to take advantage of shifts in technology. Given the flexibility within the Office leadership, should there be a shift in the regulatory environment, the Office would quickly move to alter its practices.

*(d) Human resource capabilities and needs?*

Division Directors and Section heads -- in conjunction with the Chief Deputy, the Administrative Director and the Finance Director, who also serves as the chief financial officer -- determine personnel needs after defining their goals for the future. While at present the attainment of some of those goals has been retarded as the result of budget constraints, Division and Section managers have already projected future needs.

For example, the Criminal Division envisioned adding environmental crimes to the list of offenses under the jurisdiction of the Grand Jury and expanding its staff to reduce the caseload of all attorneys, thereby enabling the Division to dispose of cases in a more timely fashion. The fulfillment of these goals required legislation and the addition of new attorneys to the staff.

So the need for additional human resources is a key factor in developing a strategic plan to reach the long-term goals proposed by the leadership.

*(e) Opportunities and barriers*

The opportunities and barriers defined in question #4 illustrate the manner in which the Office's strategic planning responds to both. The Attorney General saw an opportunity to remedy weaknesses in the prosecution of crime in several areas: domestic violence, the environment,



internet enticement of children, and organized cruelty to animals. In conjunction with Office leadership, he developed strategies to address each opportunity and barrier.

In one case, faced with the barrier of limited resources, the Office recruited volunteers to prosecute domestic violence. In the case of environmental crime, the Office drafted and promoted legislation to grant extra power to the State Grand Jury to address this issue. In the case of the enticement of children, the Office trained local law enforcement to get involved in the detection and arrest of offenders. And in the case of cruelty to animals, the Office crafted legislation mandating harsher punishments and dedicated an Assistant Attorney General to prosecute such crimes. So the office's strategic planning has taken advantage of opportunities and overcome barriers.

*(f) Business continuity in emergencies*

The Office has already responded to a genuine emergency - a shortfall in State revenues that necessitated drastic budget cuts four years in a row - 35% for the first fiscal year. As already noted, the Office made adjustments without terminating or furloughing a single employee. In addition, the strategies adopted ensured that the loss in productivity was minimal. There is every reason to believe that the Office's strategic planning process would respond to any future emergency with the same flexibility and innovativeness.

*(g) Your ability to execute the strategic plan*

Given the examples cited above, there is every reason to believe that the Office could be expected to execute its strategic plan with equal success.

*(h) Key strategic objectives (See Strategic Planning Chart)*

**Category 3: Customer Focus**

**1. How do you determine who your customers are and what their key requirements are?**

As already noted, the Attorney General's Office -- an ongoing agency of the State of South Carolina -- acquires most of its customers as a direct consequence of its role as defined by the South Carolina Constitution, the courts, and the General Assembly. Its primary function, that of litigation, is predetermined by the very existence of the judicial system -- and so are its customers.

However, the Attorney General has, on occasion, reached out to new customers in his desire to extend the benefits of

## Strategic Planning

Program Number and Title	Supported Agency Strategic Planning Goal/Objective	Related FY 05-06 Key Agency Action Plan/Initiative's)	Key Cross References for performance Measures
I. State Litigation: ICAC/Internet Crimes	The Attorney General aggressively investigates and prosecutes child cyber enticement cases. In South Carolina the law makes it a crime to stalk, lure or entice a child for abduction or sexual assault. The Attorney General vigorously seeks to prosecute the enticement of children through the Internet.	The South Carolina Task Force is part of a federal Department of Justice ICAC network dedicated to assisting state and local law enforcement agencies' efforts to combat child cyber enticement and child exploitation. The Attorney General's Office provides assistance with federal ICAC funding, training and resources. In return, local law enforcement agencies will conduct proactive undercover Internet predator sting operations. As part of the agreement, the Attorney General's Office will prosecute the Internet predator cases with the local Solicitor prosecuting other child	Chart III, 40
I. State Litigation: CDV/Pro Bono	South Carolina consistently ranks at the top nationally in fatal incidents of criminal domestic violence. In 2003, SLED documented almost 36,000 domestic violence complaints. To address this problem, the Attorney General's office seeks to solicit, train, certify, and supervise pro bono attorneys to serve as prosecutors in counties and municipalities around the state.	To address this problem, the Attorney General's office has solicited, trained, certified, and supervised 85 pro bono attorneys to serve as prosecutors in three counties and a few municipalities around the state. The pro-bono program has been very successful, handing over 1,400 domestic violence prosecutions since January 2004 and dramatically increasing the conviction rate to over 70%. We have also received a federal grant to hire additional prosecutors in seven rural counties.	Chart III, 40
I. State Litigation:AnimalFighting/Drug Trafficking	The Attorney General has developed a statewide initiative aimed at combating illegal dog fighting and drug trafficking in South Carolina.	The Attorney General's office is currently involved in prosecuting dog-fighting cases in counties all across the state.	Chart III, 41
I. State Litigation:MethWatch	The Attorney General's office has developed S.C. Meth Watch, a voluntary education, training and public visibility program involving law enforcement and retailers designed to deter the theft or illegal purchase of common household products used in the illicit manufacturing of methamphetamine.	The Attorney General has partnered with the Adjutant General's Office who has assigned S.C. National Guard personnel to staff the effort. Also part of the Meth Watch program, law enforcement officials around the state have also been trained in the Meth Watch program's series of seminars to expect calls from retailers that may contain valuable information that could lead to arrests. Through Meth Watch, retailers and law enforcement will help increase awareness about the diversion of legal products to the illegal manufacture of methamphetamine and will assist local communities in addressing the meth problem.	Chart III, 32

\* Key Cross-References are a link to the Category 7 - Business Results. These References provide a Chart number that is included in the 7th section of this document.

the Office. Thus, he has entered into civil litigation with a number of corporations who have exploited citizens through the restriction of free trade and fraudulent business practices. In such suits, a specific constituency within the state becomes a new and temporary customer of the Office -- for example, parents who have had to pay artificially high prices for toys or patients who are the victims of pharmaceutical price fixing.

**2. How do you keep your listening and learning methods current with changing customer/business needs and expectations?**

Over the past several years, this goal has been accomplished through a highly creative Information Technology Division. Keyed to the latest technology, the Division Director and staff have promoted innovations that have vastly expanded the capabilities of the Office to reach and service its customers. The introduction of the website, the development and improvement of the intranet, the creation of an online newsletter, and the installation and implementation of LawBase, a CDV database, and other databases have dramatically increased the capabilities of the Office to keep current with changing customer/business needs. In the past two years, the Dan McLeod Law Library has dropped many periodical subscriptions and is now offering the same publications online.

The Information Technology Division is currently considering the feasibility of even more creative uses of new technologies. It is in this direction that the Office looks in keeping its methods for reaching customers current and effective.

As for expectations, the Office addresses not only those customer needs that are ongoing and constant, but also those that the customer may encounter in the future and hence come to expect at a later date. The former are addressed in the manner already outlined -- through a quarterly meeting of managers, personal relationships, informal staff meetings, the intranet, and other avenues of communication. The latter are often addressed in a more elaborate and comprehensive way.

**3. How do you use information from customers/stakeholders to keep services or programs relevant and provide for continuous improvement?**

The Office receives feedback through constituent calls and letters that are received, analyzed, and answered by e-mail, letters, and telephone calls. The Stakeholder Relations Division and Constituent Services then report important trends to the relevant Division Director, who, in turn, passes this information along to the Attorney General, the Chief Deputy, and any Division or Section manager involved. If a problem has been identified, the relevant

managers discuss the matter and, if necessary, develop a strategy to effect a solution.

**4. How do you measure customer/stakeholder satisfaction and dissatisfaction and use this information to improve?**

Since the agency is the State's law office, customer/stakeholder satisfaction is measured primarily through the analysis of case loads -- number of cases opened, number of cases litigated, number and speed of cases resolved, number of successful outcomes.

In addition, satisfaction is measured through information collected and analyzed by Constituent Services. Though not statistically significant, the information provided by this Section enables leaders to pinpoint specific problems and strengths.

**5. How do you build positive relations with customers and stakeholders? Indicate any key distinctions between different customer groups.**

The office builds positive relations with customers with a variety of strategies: through press releases that report on the activities of the Office; through the Attorney General's website; through the preparation and distribution of information brochures; through the sponsorship of such programs as the Domestic Violence Awareness Program; through speeches and personal appearances by the Attorney General and staff members; and through the success of our attorneys in courts of law.

Clearly the victims of crimes constitute a special subgroup of South Carolinians. While the public at large is adversely affected by every crime committed in the state, the pain is remote, almost abstract in nature. Victims experience harsh and immediate pain and must be served in an entirely different way.

The same is true of troubled youngsters and their families -- effectively served by the Office's mentor program. The relationships of these latter groups are highly personal --requiring tact, compassion, and one-on-one attention.

**Category 4: Measurement, Analysis, and Knowledge Management**

**1. How do you decide which operations, processes, and systems to measure for tracking financial and operational performance, including progress relative to strategic objectives and action plans?**

The main question we ask in determining what to measure and what not to measure is the degree to which deficiencies are unlikely to show up any other way.

Without monitoring and measurement, the mishandling of law cases -- among thousands processed during any given year

-- might not be evident. So we measure this area of responsibility, which, coincidentally, is our primary service to our customers.

Also, the Attorney General, the Chief Deputy, and the Director of the Civil Division, and the Head of Prosecution are concerned at all times with the volume of cases opened, the number of cases resolved, and the ratio of favorable verdicts to unfavorable. Consequently they track these cases on LawBase and the CDV Database and frequently call for updated reports.

**2. How do you use data/information analysis to provide effective support for decision making throughout your organization?**

LawBase and the CDV Database provide the Attorney General and other senior leaders with complete and detailed data that can be used to determine not only volume of cases handled but also time between opening and closing, verdicts, outcomes, sentences (when relevant), and victim information. All attorneys can likewise be evaluated in terms of these factors. Thus an analysis of an attorney's record often shows whether he or she should be rewarded or terminated.

Analysis of data can indicate whether a Division or Section is understaffed and can justify the hiring of additional attorneys.

Such analysis can also prove the effectiveness or ineffectiveness of specific programs. The CDV Database, for example, revealed that the recruitment of pro bono private attorneys as prosecutors raised the conviction rate of domestic violence offenders by 70%. Armed with these data, the Attorney General decided that the program should be replicated, and the Office secured federal funding to expand the program into seven rural counties.

**3. What are your key measures? How do you review them, and how do you keep them current with business needs and direction?**

Again, our most important measure is LawBase, which contains a detailed record of every case opened by a staff member. It is through LawBase that we can track the achievement of each Division, Section, Unit, and attorney in the Office. In addition, our CDV database also keeps a comprehensive record of cases and results in the Pro Bono Program to prosecute domestic violence.

The Attorney General, the Chief Deputy Attorney General, and Division Directors review these data on a regular basis and use them like a compass to steer the Office toward the achievement of its strategic goals.

**4. How do you select and use key comparative data and information to support operational and strategic decision making and innovation?**

The first data we often choose for comparison are the past records of the Attorney General's Office. However, only recent years are relevant, since times change, populations increase, and the responsibilities of the Office expand.

But we also compare our performance with that of the offices of other state attorneys general. As already noted, The U.S. Department of Health and Human Services compared the S.C. Attorney General's Medicaid Fraud Control Section with all others nationwide and found it to be the most effective of its kind in the country, citing its 34 convictions and its \$14 million recovered - \$14.70 for every dollar spent on the Section. Recently, we found that our Insurance Fraud Section was second in the nation in number of convictions, trailing only Florida, which has a much larger population.

While these comparisons are by no means perfect indicators of our success, they tell us something about the efficiency of our programs.

**5. How do you ensure data integrity, timeliness, accuracy, security, and availability for decision-making?**

The LawBase system now in use is designed to monitor progress on cases at every step of the way. The system provides us with data of the highest quality, reliability, completeness, and availability that any technology can currently offer. The system is available to Office attorneys and select staff members and is therefore secure.

**6. How do you translate organizational performance review findings into priorities for continuous improvement?**

The Attorney General, with the input of the Chief Deputy and other senior leaders, reviews the findings and analyses of the Office databases and sets priorities for the Office. For example, over the past two years he has been particularly attentive to the CDV data and, enlightened by the success of the program, determined that it would continue to be a top priority in the Office. A federal grant to expand a similar program into seven rural counties has justified his initial faith in the program.

**7. How do you collect, transfer, and maintain organizational and employee knowledge? How do you identify and share best practices?**

This is accomplished more informally than formally. For example, the head of the Prosecution Division holds regular

discussion sessions in which less experienced staff members can ask questions and discuss current cases in the light of past practices. In addition, the heads of all divisions and sections communicate organizational knowledge through one-on-one conferences.

The Office also uses the Intranet to collect and communicate organizational and employee knowledge, both past and present. In addition, during FY 2006 the Office began publication of an online newsletter that shares the achievement of individuals and sections with all 145 employees.

## **Category 5: Human Resources**

### **1. How do you organize and manage work: to enable employees to develop and utilize their full potential, aligned with the organization's objectives, strategies, and action plans; and to promote cooperation, initiative, empowerment, innovation and your desired organizational culture?**

Senior staff members organize and manage work to enable employees to realize their full potential in several ways:

Annually, the Office presents the Attorney General's Award of Excellence to the staff member who has contributed most to the success of the organization. The Office also conducts an Employee Recognition Program for the purpose of honoring staff members for lengthy service. When authorized, the State's system of merit pay also provides an incentive for staff members to utilize and achieve their full potential.

On a more informal level, systems that funnel employee suggestions to management and an open-door policy at every level of the organization give employees the sense that they are an important part of the decision-making process. In this respect, employees create the organizational culture almost as much as senior leaders and feel a responsibility toward it.

The Office occasionally plans social gatherings. The intranet and online newsletter keep employees informed of important happenings in the lives of their fellow staff members -- weddings, births, deaths, and funerals.

All of these strategies enable employees to develop and utilize their full potential, aligned with the organization's objectives, strategies, and action plans; and to promote cooperation, initiative, empowerment, and innovation.

### **2. How do you evaluate and improve your organization's human resource related processes?**

One of the most revealing methods of evaluating our human resource related processes is through an exit evaluation, a debriefing of employees who leave the Office

for whatever reason. Such feedback, shorn of the fear of consequences, gives us a fairly reliable gauge of employee satisfaction, motivation and their sense of participation in the organizational culture.

In addition, employees are provided with a lock box in which to deposit anonymous suggestions for the improvement of the Office. Some of these suggestions have been utilized in improving employee motivation and satisfaction. All are taken seriously.

**3. How do you identify and address key developmental and training needs, including job skills training, performance excellence training, diversity training, management/leadership development, new employee orientation and safety training?**

Training needs for the entire office are generally identified by the Administration Division, which also arranges for a training site, an instructor, and any equipment necessary. For example, when the Office switched from one computer software to another, virtually the entire staff had to be re-trained. The Office arranged for an instructor, scheduled training sessions, and made certain that computers were available. In this instance, the training was mandatory.

While the Office sponsors no formal diversity training, every new employee is briefed on our non-discriminatory policy in matters of race, gender, and disability. This policy is specifically affirmed in the Office Manual and reflected in the organizational structure, where minorities occupy key managerial positions. .

Management/leadership training generally takes place one-on-one. When a staff member takes on new managerial duties or is promoted to head a Division or Section, a senior staff member with administrative experience serves as a mentor, monitoring the new manager and his or her expanded area of responsibility, making suggestions, and leaving the door open for questions.

Agency attorneys attend professional seminars and workshops, the same as those attended by private attorneys.

Finally, the Administration Division conducts orientation for new staff members. This one-day program includes information on such matters as the Office handbook, benefits, business hours, leave policy, pay policies, and the ethic of the Office.

**(4)How do you evaluate the effectiveness of this education and training? How do you encourage on the job use of the new knowledge and skills.**

The education and training the Office gives to employees is directly related to their work: computer skills, introduction to LawBase and the CDV Database, filing systems, and procedures for handling case files and



correspondence. Failure to learn these skills shows up immediately in poor performance. Supervisors carefully monitor the efficiency of trainees following sessions to determine if they have mastered the new knowledge and skills.

**5. How does your employee performance management system, including feedback to and from employees, support high performance and contribute to the achievement of your action plans?**

Our system encourages staff members to regard themselves as part of a friendly team, a community in which they are able to express their own ideas and identity while working for the common goals of the Office and its customers.

Also, the informal but persistent oversight of management and the Office's various monitoring systems allow the employee to feel relatively unconstrained, yet always under the watchful eye of a concerned authority. Staffers don't feel that supervisors are over-managing their activities; neither do staffers believe that what they are doing goes unnoticed or unappreciated.

**(6) How do you motivate your employees to develop and utilize their full potential?**

Annual awards for achievement and salary incentives motivate employees, as do the withholding of bonuses and the threat of termination for unsatisfactory performance. In addition, the Attorney General occasionally calls meetings of the entire Office staff in which he praises outstanding accomplishments, speaks of his high regard for the entire staff, and urges everyone to continue the good work. Employees have voiced their approval of these meetings, which make them feel the Attorney General is aware of their presence in the Office and appreciates it.

**7. What formal and/or informal assessment methods and measures do you use to determine employee well being, satisfaction, and motivation? How do you use other measures such as employee retention and grievances? How do you determine priorities for improvement?**

Supervisors in all Divisions and Sections evaluate employees, using a checklist that covers virtually every aspect of an employee's duties and responsibilities. Since this evaluation is used to determine pay scale, it is taken very seriously by both supervisor and employee. And it provides a means of boosting the morale of employees. Another formal and objective measure of employee satisfaction is the retention rate -- or, more precisely, the number of staff members who have voluntarily left the Office to find

employment elsewhere, as opposed to those who were terminated for one reason or another.

Informally, supervisors maintain close contact with staff members and hence can instruct and encourage the growth and development of individuals. In this daily contact, supervisors can also detect any deficiency of motivation and well being and move to alleviate the problem.

**8. How do you maintain a safe, secure, and healthy work environment?**

The Administration Division is responsible for the physical environment in which staff members do their job. This Division oversees the work of cleaning crews and constantly inspects the building to see if problems have developed.

The Division also arranges for employees to receive flu shots annually and conducts random drug testing to ensure that the work place is not compromised by the illegal use of controlled substances.

The Office has a security system that includes surveillance cameras and access cards. Periodically, office personnel participate in unscheduled drills to prepare them for evacuation in the event of a disaster.

**Category 6: Process Management**

**1. What are your key processes that produce, create or add value for your customers and your organization. How do you ensure that these processes are used?**

Discussions above provide some answers to this question. The key processes include: the management of legal cases through WestLaw and the CDV Database, the storing of data in the Records Section, the periodic assessment of Office effectiveness, and the creation and dissemination of knowledge to the general public. All of these processes are integral to the success of the Office because they give form and order to its activities and constitute the best possible means of quality control.

As noted elsewhere, The Attorney General, the Chief Deputy, and the relevant supervisors monitor these processes almost daily, thereby keeping a managerial finger on the pulse of the organization.

**2. How do you incorporate organizational knowledge, new technology, changing customer and mission-related requirements, cost controls, and other efficiency and effectiveness factors such as cycle time into process design and delivery?**

Our key processes are both traditional and innovative. The investigation of legal cases, the preparation of briefs

and arguments, courtroom appearances, and the assessment of wins and losses -- in one sense, these are as old and as set as the legal system itself.

On the other hand, the use of LawBase, WestLaw and other general databases -- which can be accessed almost instantly by a desktop computer -- render old-fashioned research and case-management methods obsolete.

Likewise, in communicating with the press and general public -- the responsibility of the Stakeholders Information Office -- staff members use e-mail and the Internet to disseminate information to over 250 media outlets instantaneously, thereby saving enormous amounts of time.

Our website receives hits daily from customers looking for information that five years ago would have taken weeks to obtain.

These and other technological innovations have been introduced to the Office as the result of a close connection between the key figures in the Office and the Attorney General himself. Staff members routinely inform him of the viability of new technology, and he is constantly thinking of ways to utilize it in the service of the Office's customers. The result has been one of the most innovative offices in State government.

**3. How does your day-to-day operation of these processes ensure meeting key performance requirements?**

As the State's law firm, the Attorney General's Office tries cases in trial and appellate courts, employing its own unique production/delivery process that combines traditional law practices with state-of-the-art technology and software. LawBase, WestLaw, and the CDV database in particular ensure the continued effectiveness and improvement of Office efficiency. The oversight system, with its highly personal emphasis and its diligent daily monitoring, seems to offer the best balance between carelessness and excessive rigidity.

**(4) How do you systematically evaluate and improve your key product and service related processes?**

Our key product is the legal service we render to our various customers. As noted above, senior leadership monitors our databases to determine (1) if the Office as a whole is performing well as a team and (2) whether each individual in the system is functioning at maximum capability. In this way, the legal work of the Office - its key product - is improved.

**5. What are your key support processes and how do you improve and update these processes to achieve better performance?**

Our key support processes are the responsibility of the Administration Division and the maintenance of an up-and-running computer network, . In addition, a staff member has the responsibility to communicate with the S.C. General Assembly, the U.S. Congress, and the White House.

The Information Technology Division is constantly researching reports on technological breakthroughs to find new and useful technologies to enhance the performance of the Office. At the same time, technicians are on-site to repair breakdowns in the computer network, which links all offices together through the intranet, e-mail, and the website.

The website is updated daily, and the Stakeholder Information staff sends out frequent releases to update the activities of the Office.

The Administration Division meets weekly to review its own performance and to report any breakdown in the system.

### **Category 7: Results**

#### **1 What are your performance levels and trends for the key measures of mission accomplishment and organizational effectiveness?**

The Records Section has kept an accurate account of cases opened, cases closed, and the outcomes -- as well as statistics on the number of customers served in such Sections as Victim Services. These records provide an accurate and statistically significant measure of mission accomplishment.

In addition, the LawBase system provides us with detailed and accurate records of all cases handled by the Office. Thus we can give a statistically significant and up-to-date summary of the activities of both the Criminal and the Civil Divisions.

Meanwhile, sections, sub-sections, and programs have compiled statistics from which the table below has been constructed.

However, in order to understand the significance of this table, it is necessary to understand more fully the nature of the programs the Office offers. What follows in Appendix I is a detailed description of these programs. See Appendix II for a chart quantitatively tracking performance levels and trends.

#### **2. What are your performance levels and trends for the key measures of customer satisfaction?**

Our evidence of customer satisfaction is gathered principally from personal encounters with victims, letters of gratitude, phone calls, e-mails, and the report of Constituent Services. The Directors of both the Criminal and the Civil Divisions report no significant negative

feedback during the year. In fact, customer satisfaction is at a high level.

**(3) What are your performance levels for the key measures of financial performance?**

The financial performance levels we set for ourselves are to manage day to day operations with a cost-benefit perspective, to stay within the budget assigned to our Office by the General Assembly, and to maximize for the people of South Carolina as many fines, fees, and forfeitures as we can, given the staff we are allowed.

**4. What are your performance levels and trends for the key measures of Human Resource results?**

Our performance levels for the key measures of Human Resource Results are derived from the performance measures listed elsewhere in the report, including formal evaluation, a rating system, and the informal interaction of all segments of the Office community. As for employee satisfaction and well-being, it is difficult to set levels based on conventional measures such as retention rate and exit questionnaires. The diversity of staff is the result of these factors, as well as a process of natural selectivity that has produced wide gender diversity and racial diversity as well. (Women and minorities hold a number of top managerial positions.)

**5. What are your performance levels and trends for the key measures of regulatory/legal compliance and community support?**

As the legal arm of State government, the Attorney General's Office has a special obligation to respect all applicable laws and regulations - federal, state, and local. Those who enforce statutes must maintain a higher performance level than those who merely live under them, if only to establish a standard for the community. As noted elsewhere, in addition to our role in the criminal justice system, we also contribute to the community by supporting a number of charities and by sponsoring such events as a memorial service for women who have died as the result of criminal domestic violence.

In FY 2006 we received a grant enabling us to produce and air Public Service Announcements warning South Carolina investors of shady and illegal practices in the securities market place. Our website also provides the public with information on a variety of subjects relevant to the mission of our Office.

***Appendix I***

**THE SECURITIES DIVISION**

The Attorney General serves as the State's Securities Commissioner, and the Securities Division assists the Attorney General in carrying out his duties in this area. These duties include providing information on securities laws and practices, investigating allegations of fraud or other violations of securities laws, and taking appropriate action.

In addition, the Division is responsible for the following: Registration of broker-dealers, broker-dealer agents, investment advisers, and investment-adviser representatives prior to their doing business in this state; performing audits on broker-dealers and investment advisers; registration of securities offerings; receipt of disclosure materials from issuers; formal confirmation of exemptions for issuers; receipt of appropriate materials and notice filings of mutual funds and unit investment trusts; investor-education outreaches to the community and targeted groups; and support of an equitable, competitive, and efficient securities industry that contributes to the economic health of the state and its citizens.

## **THE CIVIL DIVISION**

As the law firm for the State of South Carolina, the Attorney General's Office has important responsibilities in the area of civil law as well as in the area of criminal law. When the State is a party to a law suit, either as plaintiff or defendant, attorneys in this division may represent and advise the State, its agencies, and its officials in civil lawsuits.

The Civil Division represents the State in such areas as constitutional law, extradition, charitable trusts, election law, reapportionment, contracts, unfair trade practices, anti-trust suits, and foreclosures where the State has an interest.

### ***Consumer Protection and Antitrust Section***

The Consumer Protection and Antitrust Section represents the state in such areas as anti-trust suits and unfair trade practices.

### ***The Grievances Section***

The Grievances Section investigates and, when necessary, prosecutes ethical misconduct complaints against lawyers and judges when authorized by the Commission on Lawyer Conduct and Commission on Judicial Conduct.

## **THE CRIMINAL DIVISION**

In South Carolina, solicitors prosecute most crimes. However, the Criminal Division of the Attorney General's Office is charged with representing the interests of the State in some specific areas of criminal litigation. The Division is divided into seven sections: the Capital and Collateral Litigation Section, the Medicaid Fraud Control Section, the Criminal Appeals Section, the Post-Conviction Relief Section, the Internet Crimes Against Children Section, the Prosecution/Insurance Fraud Section, and the State Grand Jury.

### ***The Capital and Collateral Litigation Section***

This Section assumes the burden of representing the state in murder cases, habeas corpus actions, and in some Post-Conviction Relief cases.

The Section handles all appeals of death penalty cases in state and federal courts, and federal habeas corpus cases. The Section is responsible for representing the State in all murder conviction appeals in the South Carolina Court of Appeals and the South Carolina Supreme Court. The Section handles federal habeas actions proceeding from any South Carolina conviction in the Federal District Court, the United States Court of Appeals and the United States Supreme Court. The unit also handles all death-penalty litigation in state and federal court.

### ***The Medicaid Fraud Control Section***

Operating in part on funds from a federal grant, the Medicaid Fraud Section investigates and prosecutes cases of Medicaid fraud in South Carolina. The Medicaid Fraud Section also investigates and prosecutes cases involving patient abuse or misuse or theft of patients' funds.

### ***The Internet Crimes Against Children Section***

The Internet Crimes Against Children Unit operates primarily through funds provided by a federal grant from the Office of Juvenile Justice and Delinquency Prevention, a part of the U.S. Justice Department. The ICAC Unit has the ability to prosecute crimes against children where the Internet is involved. By statute, the focus of these offenses is in the area of obscenity and child pornography.

The ICAC Unit also serves as a source in South Carolina to promote public awareness of the potential dangers the Internet poses, especially to children.

### ***The Criminal Appeals Section***

The Criminal Appeals Section handles all appeals brought by defendants convicted in General Sessions Courts of crimes other than murder. Attorneys in this Section

represent the State in South Carolina Court of Appeals, the South Carolina Supreme Court, and the United States Supreme Court. They also represent the State when it appeals an adverse ruling or sentence.

### ***The Post-Conviction Relief Section***

The PCR Section represents the State in trial and appellate courts in all post-conviction relief actions filed by persons convicted of a crime or sentenced for a crime and who assert that the conviction or sentence violated the United States Constitution or the South Carolina Constitution. Such appeals may also assert that the court was without jurisdiction to impose sentence; that the sentence exceeded the maximum punishment prescribed by law; that the sentence, probation, parole or conditional relief had expired; or that newly discovered evidence had emerged. In addition, the appeal may be based on some other collateral attack.

Typically, hearings are held before a circuit court judge. Appeals from there are heard by the South Carolina Supreme Court and are occasionally followed by review in the United States Supreme Court.

### ***The Prosecution/Insurance Fraud Section***

The Prosecution/Insurance Fraud Section prosecutes defendants accused of crimes that fall under the jurisdiction of the Attorney General's Office, as well as accepts cases in General Sessions Court from solicitors where there is a conflict of interest at the local level.

The Section also prosecutes cases involving attempts -- both successful and unsuccessful -- to defraud insurance companies. The Section maintains a hotline (1-888-95-FRAUD) that takes calls from citizens who wish to report an instance of insurance fraud.

The Prosecution/Insurance Fraud Section also contains three sub-sections created to fulfill very specific functions: the Violence Against Women Unit, the Youth Mentor Program, and the Office of Victim Services,

### ***Violence Against Women Sub-Section***

Under the Violence Against Women Act (VAWA), the Attorney General's Office received a grant from the U.S. Department of Justice to develop strategies and procedures for the prevention and prosecution of domestic violence. Using funds from this grant, the Attorney General maintains a staff exclusively devoted to combating violence against women. Among their activities are the following: (1) the prosecution of those charged with domestic violence, (2) the presentation of educational seminars on domestic violence, and (3) the annual sponsorship of a memorial ceremony for the female victims of domestic violence during the year.



### ***Office of Victim Services***

The Office of Victim Services routinely informs crime victims of their rights under the Victims Bill of Rights and also of the services available to them. In some cases, victims are entitled to restitution and compensation, as well as to services provided by other State agencies. Counselors also help victims follow the course of the trial, including any appeals the court may schedule.

### ***The Pro Bono Criminal Domestic Violence Sub-Section***

This program, created in 2003 and operational by 2004, provides Special Prosecutors for the cases of Criminal Domestic Violence heard in summary courts. Private attorneys are recruited, trained, certified, and organized through the Attorney General's Office. Each case is monitored and tracked on a case management system. The program is currently active in 3 counties and 5 cities including Columbia and Orangeburg.

### ***Rural Domestic Violence Program***

Created with federal monies from a Rural Domestic Violence and Child Victimization Grant, this program serves the following seven counties; Chesterfield, Clarendon, Darlington, Dillon, Marion, Marlboro and Williamsburg. The program is designed to provide prosecution and victim assistance to rural communities that otherwise would not have these resources. In addition, this program also serves as a core around which to build the Pro-Bono program in these counties. Three prosecutors, a program coordinator, and a part-time assistant will work out of the Attorney General's Office; three victim advocates and a bilingual Hispanic outreach coordinator will work from the grant counties.

### ***Youth Mentor Program***

The Youth Mentor Program offers troubled young people who have not yet committed a violent crime an alternative to the juvenile justice system. They are put in contact with mentors -- in most cases members of churches and other religious groups -- who offer friendship, advice, and guidance on an ongoing basis.

### ***The South Carolina Meth Watch***

The South Carolina Meth Watch program, funded by a grant from the Consumer Healthcare Products Association (CHPA), is designed to help curtail the theft and bulk sale

of pseudophedrine and other precursor products used in methamphetamine production.

Almost all of the ingredients needed to "cook" methamphetamine can be purchased at the local drug store or hardware store. The South Carolina Meth Watch program provides a disincentive to prospective purchasers of precursor products through a monitoring system.

Participating retailers place the precursor products where they can be easily watched.

These retailers strategically post South Carolina Meth Watch signs and tags on their doors and windows, around their cash registers, and on the shelves where precursor products are located.

Retailers may also impose purchase limits to prevent high volume sales.

Finally, they train their employees to recognize, but not to confront, suspicious customers, and to contact law enforcement with as much identifying information as possible.

Representatives from the Meth Watch program offer "train the trainer" sessions throughout the state and also conduct seminars to train law enforcement officers, prosecutors, and drug awareness groups about the program and how to implement it in their communities. Seminar attendees learn that their agency's participation, as well as the participation of retailers, is cost-free. As other states have quickly learned, leadership and active participation by law enforcement personnel and retailers is the most important factor in the successful operation of a Meth Watch program.

### **The State Grand Jury/Prosecution**

The State Grand Jury (SGJ) is an independent body empowered to hear evidence and hand down indictments in six special areas: (1) cases involving multi-jurisdictional drug trafficking, (2) obscenity and pornography, (3) the corruption of public officials, (4) the violation of election laws, (5) acts of terrorism, (6) computer crimes, and (7) environmental crimes. As the result of recent legislation, the State Grand Jury now investigates suspected violations of the Uniform Securities Act and prosecutes indicted persons.

The SGJ functions like a federal grand jury: It meets on a regular basis, hears evidence, and either issues a "true bill" (an indictment) or a "no bill," depending on whether or not jury members believe the evidence is sufficient to justify a trial.

An attorney from the Attorney General's Office prosecutes defendants indicted by the SGJ.

### **THE ADMINISTRATIVE DIVISION**

The Administrative Division provides support and planning services essential to the efficient operation of the Office. These services include: space planning and construction, resource allocation, drug testing, law library, procurement, coordination of security, visitor and telephone reception, and general services. The Division is divided into four Sections -- Human Resources, Library, Support Services, and Receptionists.

#### ***Human Resources Section***

This Section prepares and manages the recruitment of new employees, administers the drug-testing program, processes job applications, provides orientation for all new employees, prepares payroll and leave records, monitors and implements salary changes, administers benefits, coordinates employee relations, and performs other human resources duties in support of the Attorney General's staff.

#### ***Library***

The Daniel R. McLeod Law Library -- named after a former Attorney General -- was officially established in 1974 to organize the research materials available in the Attorney General's Office. The library maintains a basic collection that includes key books and journals, legislative materials, and the opinions of the S.C. Attorney General dating back to 1870. In addition, extensive online research is available to all Office attorneys at their desks and has replaced subscriptions for most materials.

#### ***Support Services Section***

The Support Services Section provides the Office with essential support services. These include printing and binding of briefs, copying, purchasing, court records, court errands, office supplies, general errands, repair of equipment, and mail processing. The Section also assists the executive staff with the set-up for press conferences, performs other services at the request of the Attorney General, and fulfills other executive-level needs.

#### ***Receptionist Section***

The Receptionist Section receives and greets visitors to the Office and introduces them to the appropriate staff member, serves as the first point of contact with the public by taking and directing incoming calls, and assists with general administrative tasks.

### **THE FINANCE DIVISION**

The Finance Division prepares the budget, receives and disburses funds, manages the cash flow of the Office, and prepares applications for grants.

The staff of the Finance Division solicits grants to support programs administered by the Attorney General's Office. Such grants help defray the cost of key services that benefit the people of South Carolina.

#### **The State Grand Jury Clerk's Office**

This office serves the State Grand Jury as a clerk of court 's office serves a general sessions court, maintaining all records relevant to the conduct of trials and legal matters under the jurisdiction of the State Grand Jury.

#### **INFORMATION TECHNOLOGY DIVISION**

The Information Technology Division serves a number of constituencies, including the people of South Carolina, law enforcement agencies, public officials, and the staff of the Attorney General's Office. The Division's services include the following:

The development and maintenance of the Attorney General's website, [www.scattorneygeneral.com](http://www.scattorneygeneral.com). This website, designed to serve the general public, was established in 1999. Its content is routinely modified to provide timely information to the citizens of South Carolina. The site contains material on a variety of subjects, including: general information about the Attorney General's Office; a history of the Office; information for citizens on the detection and reporting of Medicaid fraud; information about legal settlements and agreements benefiting consumers; links to sites that offer citizens additional information on how they may participate in ongoing class-action settlements; a link to the Sex Offender Registry, which enables South Carolina parents to determine if a convicted sex offender is living in their neighborhood; information on insurance fraud and how to report it; a link to the Office's Internet Crimes Against Children website, which teaches Internet safety and helps protect our children online; the South Carolina Registry of Missing Children, a list of photographs and other information pertaining to missing children; a link to the National Center for Missing and Exploited Children; the list of "Stop Violence Against Women" services; information about the Attorney General's Youth Mentor program; information on the purchase of securities, including tips to avoid exploitation by unscrupulous and unauthorized agents and brokers; information on the S.C. Meth Watch program and its training conference schedule; information regarding the Tobacco Master Settlement Agreement, including a directory of companies authorized to do business in South Carolina;

and news and press information, including instructions in how to subscribe to a published newsletter.

The Information Technology Division manages the agency's Intranet site, MYAG. This electronic forum is used to provide online versions of frequently used manuals, forms, and lists. Employee handbooks, organizational charts, telephone listings, and multiple administrative forms are maintained electronically, thereby saving the agency substantial costs by eliminating the need to mass-produce and distribute frequently changing information.

One of the Information Technology Division's primary goals is to provide a secure network to all staff. To facilitate their work, each employee is provided with a PC, equipped with the following applications: an office productivity suite, including a word processor, spreadsheet, and presentation application; Internet access; and online legal research tools, e-mail, and a customized case management application for tracking all case-related information.

Depending on the division to which an employee is assigned, additional software may be required. (For example, the Office uses a number of small database applications for inventory, mail logs, opinions' files, etc.) And all staff members are provided with a variety of training opportunities to learn about the standard core of applications supported.

The Division is also responsible for maintaining all Office hardware, including: office computers, printers, scanners, fax machines, and other in-house technology; the office telephone system; and technology assigned to individual staff members for mobile use, such as laptops, cellular phones, and pagers.

Finally, the Division's Records Section maintains records of all cases handled by the Attorney General's staff, opens new files and closes files. Records retention of more than 3,000 cartons of records is coordinated with the State Records Center. The Section received the 1997 award by the State Archives for an outstanding agency records program.

## **STAKEHOLDER RELATIONS SECTION**

The Stake Holder Relations Section acts as a liaison between the Attorney General's Office and its various constituencies, which include the citizens of South Carolina, members of the General Assembly and other elected officials, representatives of the media, state agencies, and officials from other states and the federal government.

Staff members answer inquiries from the general public and provide assistance. They also schedule press conferences, draft and send out press releases, and otherwise provide the media with information about the activities of the Attorney General and members of his staff.

## THE OPINIONS DIVISION

One of the more important functions of the Attorney General's Office is providing legal advice to the Governor, members of the General Assembly and other public officials. Often this advice is given in the form of a written opinion. Opinions dealing with matters of significance to South Carolinians statewide are reviewed and signed by the Attorney General.

## THE SEXUALLY VIOLENT PREDATOR UNIT

In 1998, the Governor signed into law legislation enabling the State of South Carolina to commit sexually violent predators "who require involuntary civil commitment in a secure facility for long-term control, care, and treatment." The Sexually Violent Predator Section of the Attorney General's Office represents the State in these civil trials and presents the case for commitment. The Section also handles all annual review proceedings for individuals committed under the statute.

### *Appendix II*

#### TABLE OF ACCOMPLISHMENTS

#### CHART III

##### Caseload Statistics for the Attorney General's Office for the Past Three Fiscal Years

Note: Some categories appear in only one year or two years and not in all three. These are few in number; and for the most part, comparisons are statistically useful.

	FY '06	FY '05	FY '04
Administrative Procedures			
Act Matters	45	54	61
Agency Instituted Suits	1	3	11
Agency Legal Advice	16	18	27
Amicus Briefs	37	34	70
Antitrust	31	26	22
Attorney Grievance Investigation	2	1	1
Bankruptcy	8	7	3
CA - Anders	495	497	471-
CA -- Death Penalty	58	61	56
CA - Pending	463	332	257
CA -- Sexual Predator	1	3	4
Charitable Solicitation	34	34	34
Charitable Trust	159	159	174
Child Pornography	--	2	2

Collections	3	2	3
Condemnation	--	--	1
Constitutional Test	11	14	17
Consumer Fraud Investigation	5	8	7
Consumer Fraud Litigation	7	7	9
Contract Matter	2	4	6
Criminal Appeals	303	309	742
Criminal Appeals -- Murder	201	187	196
Criminal Investigations	2	3	9
Criminal Domestic Violence	635	698	393
Criminal Domestic Violence II	--	1	2
Criminal Domestic Violence (HAN)	6	9	19
Criminal Prosecutions	25	22	32
Criminal Sexual Conduct	--	1	5
Damage Suit v. Agency	5	4	3
Declaratory Judgments	29	27	34
Defense of Public Employees (1983 Act)	9	11	14
Dog Fighting	45	44	25
Drug Forfeiture	--	2	1
Elections	14	16	7
Environmental/Health	6	5	8
Environmental Prosecution	38	3	3
Escheatments	---	---	--
Extraditions/Detainer	101	54	83
Federal Litigation	3	3	3
Federal Habeas Corpus (FHC)	423	400	479
FHC--Death Penalty	15	17	19
Forfeiture/Foreclosure	320	275	255
Freedom of Information	4	4	4
Gambling	71	34	29
General Prosecution	358	351	295
Global	---	---	2
Harassment	1	---	---
Injunctions	7	7	9
Insurance	--	8	13
Insurance Fraud/Investigation/ Litigation	1,153	990	907
Labor (including OSHA)	---	--	2
Medicaid Fraud Investigation/ Litigation	297	351	361
Monitoring of Case	42	28	36
Office Administration	---	---	1
Opinions	103	107	112
Other	15	14	19
Other -- Civil	120	110	110
Other -- Criminal	11	16	22
Other/Death Penalty	8	9	11
Parole	---	--	7
Patient Abuse	848	810	875
Personnel (Grievance/Retirement)	---	---	20
Post Conviction Relief Appeal	1,838	1,615	1,479
PCR Death Penalty Appeal	22	22	22
PCR Death Penalty	58	56	61

PCR SGJ	8	3	4
Post Conviction	4,112	4,516	4,517
Professional Disciplinary	26	27	25
Prosecutors Review	114	76	50
Real Property	3	5	10
Recipient Fraud Investigation	463	219	---
Recipient Fraud Prosecution	36	26	---
Review of Legislative Regs, etc.	2	2	2
Second Injury Fund	1	1	2
Securities Investigation Cases	11	36	28
Securities Regulation	2	3	3
Sexual Predator Reviews	--	2	2
State Grand Jury --			
Criminal Appeals	11	12	12
State Grand Jury -			
Drug Forfeiture	---	--	7
State Grand Jury --			
Criminal Prosecution	12	15	69
State Habeas	51	45	37
SGJ Special Investigations	2	2	2
SVP Act	262	160	235
Tidelands	40	33	19
Tort Claims	6	8	10
Unfair Trade Practices	16	12	7
Unknown	25	25	30
Unlawful Practice of Law	1	7	13
Unlawful Use of Telephone	---	---	1
Victim Assistance Reports	4192	3,695	3996
Victim Services DP	53	54	57
Voting Rights Matters	16	16	17
Vulnerable Adult	1	5	---
Wildlife	---	---	1
Wills, Trusts, Estates	182	181	181
Workman's Comp.	1	1	1
<b>Totals</b>	<b>18,748</b>	<b>17,143</b>	<b>17,329</b>

Another means of measuring our performance level and trends is by comparing the goals established at the beginning of the previous fiscal year with our accomplishments during that period.

The high-priority goals established in FY 2005 were as follows:

Those ongoing goals are: the expansion of our program to prosecute child exploitation on the Internet; the expansion of our Pro Bono Program for the prosecution of criminal domestic violence offenders; and the hiring of a full-time prosecutor for combating animal cruelty.



## The Internet Crimes Against Children (ICAC) Unit

Working with law enforcement, schools, parents, and children, the ICAC Unit conducted free legal education seminars for prosecutors and law enforcement officials. Seminar speakers ranged from local law enforcement officers and federal agents to nationally known forensic and behavioral scientists. Those in attendance received the training and resource materials to take back to their local offices and help make their investigations and prosecutions more effective. Well over 1000 law officers and prosecutors received some form of training from the Unit.

As a consequence of this training, law enforcement officers to investigate internet crimes against children, the Internet Crimes Against Children Unit has increased its investigations and convictions exponentially since FY '05, with 28 cases opened in '06, as compared with 5 in '05, and 6 convictions, as opposed to 1 in '05. '

Currently, the ICAC Unit maintains a website -- [www.sckidsonline.com](http://www.sckidsonline.com) -- that serves as a resource for law enforcement, parents, and children. The site contains information about Internet safety and the dangers that exist, how to report suspicious activity or web content, whom to contact in other states (including state and federal agencies), and links and registration information for upcoming events.

In addition, the Office has signed 18 Memorandums of Understanding (MOUs) with local law enforcement agencies this fiscal year and plans to sign several more in the next fiscal year, which will, in effect, broaden the scope of investigations in this area, thus creating a bigger need for additional prosecutorial assistance. These MOUs are agreements between city and county law enforcement agencies and the Office allocating investigative assistance from local officers in exchange for assistance from the Office in obtaining the training and equipment necessary to conduct undercover investigations. In addition, becoming a member of the SC ICAC Task Force enables local law enforcement personnel to attend national training sessions they may not otherwise find available and ensures that all ICAC investigations are conducted in accordance with national standards.

## Expansion of the CDV Prosecution Program

During FY 2006, the Pro Bono Program - already operating in Kershaw County and in the cities of Columbia and Orangeburg -- expanded into Lee and York counties and into the cities of Winnsboro and West Columbia.

During the same fiscal year, the Office received a \$900,000 U.S. Department of Justice Rural Domestic Violence and Child Victimization Grant to establish a parallel program in seven additional counties: Chesterfield, Clarendon, Darlington, Dillon, Marion, Marlboro and

Williamsburg. The program is a partnership between the Attorney General's Office, the South Carolina Coalition Against Domestic Violence and Sexual Assault, the Pee Dee Coalition Against Sexual and Domestic Assault, and the SC Baptist Convention. Working together these organizations provide prosecution, victim services, and educational training for domestic violence to rural communities that otherwise would not have these resources. Additionally, this program serves as a core around which to build the Pro-Bono program in these counties. There are three prosecutors, a program coordinator, and a part-time assistant, all of whom work at the Attorney General's Office. Also, three court advocates and one bilingual Hispanic outreach facilitator work at the Pee Dee Coalition in the grant counties.

As of September 6, 2006, the program Coordinator reports the following results:

*Chesterfield:* There are currently ten pending cases. There are 25 closed cases. Of the closed cases, three have been sent to general sessions, 18 were guilty pleas, one was found guilty at bench trial, and one was found not guilty at bench trial.

*Clarendon:* There are currently 19 pending cases. There are 28 closed cases. Of the closed cases, five have been sent to general sessions, 15 were guilty pleas, seven were found guilty at bench trial, and two were found not guilty at bench trial.

*Darlington:* There are currently 39 open cases. There are 64 closed cases. Of the closed cases, three have been dismissed, 17 were sent to general sessions, 34 were guilty pleas, six were found guilty at bench trials, two were found not guilty at bench trials, one was found guilty at a jury trial, and one was found not guilty at a jury trial.

*Dillon:* There are currently 11 open cases. There are 33 closed cases. Of the closed cases, four have been dismissed, six were sent to general sessions, 14 were guilty pleas, five were found guilty at bench trials, three were found not guilty at bench trials, and one was sent to Pre Trial Intervention.

*Marion:* There are currently 13 open cases. There are 11 closed cases. Of the closed cases, two were sent to general sessions, five were guilty pleas, three were found guilty at bench trials, and one was found guilty at a jury trial.

*Marlboro:* There are currently 30 open cases. There are 38 closed cases. Of the closed cases, four have been dismissed, eight were sent to general sessions, 16 were

guilty pleas, eight were found guilty at bench trials, and two were found guilty at jury trials.

*Williamsburg:* There are currently six open cases. There are 42 closed cases. Of the closed cases, five have been dismissed, two were sent to general sessions, 22 were guilty pleas, three were found guilty at bench trials, two were found not guilty at bench trials, two were found guilty at jury trials, and five were found not guilty at jury trials.

#### Animal Cruelty Prosecutor

This goal has likewise been realized. The Office now has an Assistant Attorney General dedicated to the prosecution of those who stage fights between dogs and between other animals.

In summary, the Office has been extraordinarily successful in the realization of the goals it set for itself in FY 2005.